

**ORIGINAL**

August 18, 2003

The Honorable Michael K. Powell  
Chairman, Federal Communications Commission  
145 12th Street SW  
Washington, DC 20554

Dear Chairman Powell

RE: Docket # 02-278

I am writing to strongly urge you to stay temporarily and then reconsider the rules governing unsolicited facsimile advertisements included in the Report and Order amending the regulations that implement the Telephone Consumer Protection Act of 1991 (TCPA).

The Commission has decided, without the full input from the business community, to modify the current law by doing away with the “established business relationship” provision pertaining to fax advertisements.

I understand that I would not be allowed to fax promotions for my business. Furthermore, the rule implies that if I call to request membership-related information such as the benefits, events, and services of another business, chamber of commerce, nonprofit organization or association, I would still have to send my written permission before anything was sent to me.

I believe that the FCC did not fully understand the breadth, scope and practical effect of this decision. These regulations will add to the economic burden of running a small business by increasing paperwork requirements and encouraging frivolous lawsuits against unsuspecting small business owners.

This proposal is a prime example of an idea where the disadvantages and unintended consequences far outweigh the benefits. I urge you to reconsider the proposal and ask that you temporarily stay the rules until chambers of commerce, trade associations, and businesses are able to provide additional comments.

Sincerely,

David Reichard